



Paper No. 9

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In re Application of:  
Scott, *et al.*  
Application No. 09/828,072  
Filed: April 6, 2001

**COPY MAILED****SEP 11 2002****OFFICE OF PETITIONS****ON PETITION**

This is a decision on the August 26, 2002 petition under 37 C.F.R. §1.137(b) to revive the above-identified application.

This application became abandoned due to applicant's failure to timely file a proper reply to the notice to file missing parts, mailed on June 4, 2001. A shortened statutory period of two (2) months was set for replying. However, that time period lapsed without reply. Consequently, the application became abandoned on August 5, 2001.<sup>1</sup>

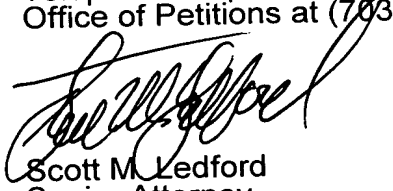
Applicants originally filed the petition on June 4, 2002. However, the office dismissed that petition in a decision mailed on July 5, 2002 for lack of a proper reply. The decision set a two month period for replying.

All requirements for the filing of a grantable petition under 37 C.F.R. §1.137(b) to revive an unintentionally abandoned application have been met. Therefore, this petition is **GRANTED**.

This file is being forwarded to the Office of Initial Patent Examination.

The power of attorney has been entered into the record. Additionally, as per Petitioner's authorization, the \$130.00 late filing surcharge has been charged to deposit account no. 07-1392.

Telephone inquiries concerning this matter may be directed to the undersigned in the Office of Petitions at (703) 306-5593.

  
Scott M. Ledford  
Senior Attorney  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy

<sup>1</sup> See 35 U.S.C. §133, 37 C.F.R. §1.134-136.